

substantial scope for collaboration between Australian and Malaysian institutions and Governments with consequential benefits to students and nations.

Footnotes

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The Place of Tenure in Efficient Academic Organisations*

S.V. Rao and W.W. Bostock

University of Tasmania

The 1980s are a decade of economic difficulty combined with rapid technological and cultural change. At the heart of these conditions lies a shift in economic power from the United States and Western Europe to the newly emergent economic powers of East and South East Asia. Western governments have found an attractive answer to the burden needed to pay for the public sector and the related problems of public sector union power through the concepts of deregulation, privatisation and user-payment. Starting with President Carter's deregulation of the US air transport industry in 1973¹, deregulation has been applied to banking, finance, the media, transport, housing, manufacturing and public utilities such as telephone, electricity and gas supplies in one country after another. Its acceptance by the public is attributable to the appeal of wider choice at apparently lower cost to the public purse, though its true costs may only become known much later (and it is interesting to note that widespread disillusionment with recently privatised television services in France has already set in).

Given this context, it is to be expected that higher education in Australia should have been subjected to the same demands for deregulation, privatisation and user-payment, in line with other branches of the public sector and towards the same objectives: to increase choice, to lower costs and to increase efficiency. At the very core of the claimed inefficiency of the higher education system lies the concept of tenure, and the demands for its abolition are becoming ever more strident.

The Origins of the Concept of Tenure

The word tenure, the holding of a piece of property or office (from the French *tenir* to hold) when applied to certain roles has a long history. Universities began as mediaeval schools known as *studia generalia* with the purpose of educating clerks and monks beyond the level of cathedral and monastic schools. The Universities were guilds of scholars at

and around the *studia*, the first being believed to be the *Universita degli Studi di Bologna* in the twelfth century. In 1158 Frederick I Barbarossa granted the scholars of Bologna the privileges of protection against unjust arrest and trial before peers. In Paris in the same century another body of scholars developed, and these were classed as members of the clergy and were granted the right of trial by an ecclesiastical court. In 1167 Henry II of England placed an embargo on English clerks going abroad and students and teachers thus forced to return from the University of Paris chose Oxford to settle and establish a new *studium*. The earliest known granting of privileges dates from the formal recognition of Oxford by papal legate in 1214². Other universities developed or were created throughout Europe, and then in America with Harvard in 1636, in Canada with Laval in 1852, in Australia with Sydney in 1850, in Japan with Tokyo in 1877 and China with Peking in 1902.

Despite the early recognition of the need for privileges in order that scholarly functions be effectively exercised, the practice of tenure appears to have been more an ideal necessary for the good standing of the institution rather than a practical reality.

The architect of the modern concept of bureaucracy, Max Weber (1864-1920), realised that tenure was an essential characteristic of the legal-rational organisation and wrote that

Normally, the position of the official is held for life, at least in public bureaucracies; and this is increasingly the case for all similar structures . . . In contrast to the worker in a private enterprise, the official normally holds tenure³.

The concept of tenure was seen by Weber as an essential characteristic of a bureaucracy in the same way that training, entry examinations and adequate remuneration in a career pattern within a structured hierarchy were also essential. In matters of university organisation, Weber saw clearly the need for academic freedom in the pursuit of excellence and the role of objective appointment criteria

and tenure in advancing this aim:

In order to speak seriously of such "freedom", the first condition which must obviously be met is that both appointment to and continued tenure in a chair must be decided by the same (academic) criteria⁴

Although Weber's model was only a paradigm or ideal-type it seemed to prescribe the most efficient type of organisation and has been adopted in many variants around the world, and although often criticised, it still provides a standard for comparison.

In universities tenure has been applied variably: in some European universities, professors have tenure for life⁵ (as do certain categories of judges in the US), in Germany there is a very strong tradition of academic tenure (except for the periods of Bismarck and the Third Reich), in France where university academics are public servants under the Ministry of Universities it is extremely strong and in many developing countries such as India which initially adopted the British model of the university, tenure is extremely well entrenched. In the United States tenure has existed for a long time in a well-developed form in all of the more reputable universities. Much pressure for tenure in American universities has come from the American Association of University Professors and its Committee on Academic Freedom and Tenure which first formulated its standards in academic freedom and tenure in 1915. These principles were reformulated jointly by the Association of American Colleges (AAC) and the AAUP in 1940. It has been stated that

although the AAUP cannot actually enforce any claims to permanent tenure, it has achieved the acceptance of a moral standard which many administrators of colleges and universities recognise either by adopting this standard in their own institutional regulations or at least by observing it in practice⁶.

The situation in Australia today is that all universities have a system of tenure in place which provides for continuing employment until the retirement age of 65 for men and women, unless the academic is found guilty of gross dereliction of duty. The majority of academics are appointed with tenure, though some are on short-term contracts.

This was not always so: for example, professors at the University of Tasmania in the 1890s had three-year contracts while lecturers had one year contracts. There were several celebrated dismissal cases in the earlier decades of this century but the one which captured the attention of the English-speaking academic world was that of Professor S.S. Orr in 1956.

The very messy dismissal of Professor Orr, whose offer to resign was not accepted by a University Council intent on nothing less than summary dismissal, gave the University of Tasmania 'a most unenviable international notoriety'⁷. Clearly the costs of tenure breach to an institution in terms of damage to its reputation are enormous.

The situation in the United Kingdom is that tenure has been very well entrenched until the very recent past. A former Vice-Chancellor of the University of Liverpool wrote

(The) right of appointment is a vital guarantee to the Universities of freedom of thought and expression . . . To be effective this right must be supported by reasonable security of tenure; and the statutes of universities now generally contain provisions (including the right of appeal) which preclude dismissal of staff save on grounds of criminal conviction or neglect of duty⁸.

The introduction to Parliament by the Thatcher Government this year of the Education Reform Bill could lead to British academics being made redundant on grounds of 'financial exigency' but with some compensation. Thus in the UK the concept of tenure is under attack, giving further impetus to similar calls for change in Australia.

Recent Recommendations on Tenure to the Australian Government

In September 1986 a Committee of Enquiry chaired by Hugh Hudson and sponsored by the now defunct Commonwealth Tertiary Education Commission presented a report of their *Review of Efficiency and Effectiveness in Higher Education*. With regard to tenure, the report reached the following conclusion:

The Committee is satisfied that the principle of tenure can and should remain a fundamental part of higher education⁹.

This conclusion was reached after a considerable discussion of the dysfunctional aspects of tenure (which will be considered more fully here presently).

In December 1987 another document, *Higher Education, a policy discussion paper* (the Green Paper) was circulated by the Hon. J.S. Dawkins, Minister for Employment, Education and Training. On tenure the paper stated that:

The Government believes that the majority of academic staff appointments should be on a permanent basis, with appropriate procedures for termination on the grounds of inadequate performance, redundancy or financial exigency¹⁰.

The paper went on to suggest that an

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appropriate level of term appointments, that is, fixed short term, would be 'of the order of 20 per cent overall'¹¹.

Tenure: a Cost-Benefit Analysis

Although as can be seen, the practice of granting tenure has a venerable tradition, it is also clear that queries are being raised, and it is time to assess these.

There are basically five arguments against tenure in universities. The most prominent of these is that it prevents an institution getting 'rid of professorial "deadwood" accumulated over the years and that tenure therefore fosters mediocrity', as Machlup describes it¹², or as in the words of Brennan, tenure 'serves to insulate staff from the need to perform'¹³ or as in Karmel's view:

Once tenured, members of the academic staff may rest on their laurels for many years making a relatively small contribution to the work of the institution¹⁴.

Tenure also creates administrative inflexibility in staff deployment, preventing or at least making difficult a swing from one area to another; to quote Brennan again, 'change is retarded by tenure, and retarded in a major way'¹⁵.

Tenure can be bad for morale, it is argued by Brennan, in that it allocates resources 'more or less independently of performance'.

Machlup observes that a system of tenure can have the effect of causing an institution to minimise risk-taking in appointment by opting for the 'safe bet'¹⁶.

A last and very noticeable consequence of the tenure system, particularly in times such as the present, is that it provides 'reduced scope for recruiting new staff and thus infusing "new blood" into academic departments'¹⁷.

The Benefits of Tenure

That benefit of tenure which is of overriding importance is, as foreseen by Weber and constantly reaffirmed through the ages, that it is essential to academic freedom. In 1984 representatives of national faculty organisations from Australia, Canada, Eire, New Zealand, the United Kingdom and the USA met in Washington DC and approved a state-

ment on tenure and delegated to the Canadian Association of University Teachers the task of preparing a final statement which, when issued, contained the following:

Tenure constitutes the procedural safeguard of academic freedom and individual responsibility, and as such is essential for the maintenance of intellectual liberty and high standards in education and in scholarship¹⁸.

Without the safeguard of tenure academics would be subject to 'pressures to confirm and to remain silent' as Fox observes¹⁹, and this contradicts entirely the ideal of a university committed to the pursuit of truth and excellence:

Universities do not have it as their task to teach any outlook which is either 'hostile to the state' or 'friendly to the state',

wrote Weber in 1909²⁰, but also noting in the same chapter the aphorism that 'I sing the tune of him whose bread I eat'²¹, which applies particularly well in the case of universities.

Is insulation from outside pressure desirable? Machlup, the distinguished economist, thought it was, when he argued that the benefits of tenure:

... still far outweigh the disadvantages. The main benefits are the enhanced progressiveness and usefulness of many academic teachers under a system that guarantees their freedom of expression . . .²²

In addition, a system of tenure can provide a means for the administrators of an academic institution to resist outside pressures for the silencing of the expression of certain viewpoints or the cessation of certain lines of research or enquiry, by pointing to the autonomy of individual academics.

Another benefit of tenure is that it enables universities to attract the best applicants for positions and, having secured the best applicants, to keep them, and moreover to avoid the costs of readvertisement and settling-in, as Fox notes.

Tenure also has a benefit in providing the incentive, and the means, to undertake long-term research projects, that is, those with the greatest likelihood of providing real benefit to the community. The long-term projects are often ones where an academic may reach peak performance quite late in life.

We all know that the pure mathematician normally peaks before thirty years of age but the historian or classicist normally does so very much later. Some engage in major work such as Japanese-English dictionaries which would take twenty or more years to complete,

as Fisher noted in his discussion of the

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benefits of tenure²³. To continue this example, a three-year contract would not produce a dictionary, at best it might produce a review of a dictionary. It is impossible to avoid the conclusion that, without a system of tenure, quality research and teaching, which by its nature involves long gestation periods, would inevitably be replaced by short-term projects with quick pay-off, and also by shorter term and therefore shallower treatment of teaching areas.

The View of Organisation Theorists

Organisation theory is not a single strand of thought or school, but rather a body of ways of looking at questions of organisation in conjunction with the findings of empirical research. It is not surprising therefore that the place of tenure in large-scale complex organisations of all types, and not just the academic, has concerned the theorists and the practitioners of this discipline.

The starting point of most exercises in organisation theory is that society must be organised to survive and its organisations must themselves be capable of responding to a changing environment:

'Change must be managed successfully if organisations are to survive,' wrote Milton, Entekin and Stening²⁴. The successful management of change involves co-operation at all levels, and the same writers noted that employees are often resistant to change, in order to protect themselves from real or imagined insecurities through loss of job, income and status²⁵.

Maximum performance is achieved when the individual has a good working environment, which depends in Dunphy's view on four factors: safety — that is there are no threats to the individual's life or physical or mental health; comfort; resources; and security.

Security in the work environment Dunphy defined as 'a job where the individual is not threatened with summary dismissal'²⁶. The view has been stated repeatedly that academics would perform better under conditions of stress such as would be provided by the abolition of tenure. Organisation theorists have done much work on the relationship between stress and performance. What are their findings? To quite a large extent this is a medical question: Steers²⁷ refers to many

medical projects demonstrating the relationship between high job stress and heart disease, ulcers, arthritis, hypertension, alcoholism and mental illness resulting from increased levels of anger, frustration, irritation, depression and anxiety. Under conditions of no stress, Steers reported the general finding that individuals maintain their current level of performance but are unlikely to change their level of performance. On the other hand, studies indicate that conditions of low stress do activate people sufficiently to motivate them to increase performance. Similarly, 'mild stress can also be responsible for creative activities in individuals' noted Steers²⁸.

Job security is thus seen as a functional requisite of all good employment practices, particularly where an organisation is about to face changes to its environment and must make radical changes to itself. The support and co-operation of its own members is seen as vital in a situation such as this, but the employee must not feel personally threatened.

Organisation theorists have clearly weighed the dysfunctional effects of a tenure system. The widely acclaimed organisation theorist, Charles Perrow, notes that, despite the costs of the tenure system, the career principle is a sound one. Perrow sees the major factor in favour of the tenure/career model of employment as the need to provide an incentive and a guarantee the long-term investment in technical training and skills. Without such a model, individuals would not be prepared to make any long-term investment. Perrow concludes his discussion with the following comment:

In short, the benefits (of the career/tenure model) clearly appear to exceed the costs; tenure may be a necessary inducement for mastering obscure skills and a necessary protection against arbitrary rulers. There are costs, but the alternatives are worse²⁹.

Conclusion

In Australia and other industrialised Western nations in the 1980s, the efficiency of universities is being questioned, and calls for various changes designed to increase efficiency are being proposed. At the very heart of the existing practices under question lies tenure. But tenure is essential to academic freedom and is an ideal that has been pursued throughout the ages for the soundest of reasons. All the issues of the current debate: flexibility, relevance, responsibility, efficiency, have been heard many times before, and all the proposed methods of achieving them, budgetary control, deregulation, private universities, controls over academic freedom, abolition of tenure,

have all been tried many times in many countries. There is however no known method of achieving quality research and teaching other than through the responsible exercise of academic freedom. Weber, writing in the turbulent times of Imperial Germany, can hardly be improved upon today:

*The result of . . . a castration of the freedom and disinterestedness of university education, which prevents the development of persons of genuine character, cannot be compensated by the finest institutes, the largest lecture halls, or by ever so many dissertations, prize-winning works and examination successes*²⁰

While the central place of academic freedom cannot be disputed, it is also the contribution of modern organisation theorists that the individual members of an organisation, or a whole society, facing rapid change to its environment, must not be threatened in their personal security if those changes are to be successfully mastered. Personal and group security is based on confidence about the future; any system which institutes the possibility of arbitrary and possibly capricious dismissal or redundancy will be highly dysfunctional, possibly hastening the destruction of the group and society, and is therefore inefficient in the pursuit of its goals.

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Job satisfaction of academics in Hong Kong

W.L. Grichting

James Cook University

During the last few years more and more Australians have accepted academic posts in Hong Kong. This tendency is probably due to the significant contraction of the educational system in Australia and the concurrent expansion in Hong Kong. In addition there has been a veritable exodus of local academics to obtain a foreign passport before 1997. Beyond these obvious reasons it may well be the case that the job conditions in Hong Kong attract a considerable number of Australian academics to the 'cockpit' of Asia. What can the Australian academic expect in Hong Kong? I propose to answer this question first by comparing the Australian and Hong Kong educational scenes in general and, second, by

presenting the findings of a recent staff survey of one of the five institutions which are funded by the Hong Kong University and Polytechnic Grants Commission (UPGC).

Basic Comparisons

There are many similarities between the Australian and Hong Kong educational systems which might suggest that Australian academics should find it relatively easy to adjust to the new environment. Both systems represent a peculiar combination of the American and British models of higher education. The British influence is readily noticed in the professional training of undergraduates who upon graduation are expected to be ready

to enter the workforce. (The American undergraduate course is devoted to a liberal arts curriculum in preparation for professional education at the post-graduate level.) Students in Hong Kong as a rule observe the American custom of attending 15 to 20 classes per week rather than follow the British model where students read for degrees and consequently spend most of their time in the library. In Hong Kong, libraries are more likely used as convenient study halls to learn from assigned textbooks and lecture notes rather than as research facilities to engage in independent inquiries of individually chosen topics.

Like Australia, Hong Kong recognizes tutors, lecturers, readers and professors.